

Initial Completeness Review

Utah Coal Regulatory Program

December 21, 2007

TO: Internal File

THRU: James D. Smith, Assistant Permit Supervisor *DS 03/08/06*

FROM: *RD* Dana Dean, P.E., Senior Reclamation Hydrologist/Engineer

RE: 15-Day Initial Completeness Review –Waste Rock Pile Expansion, Canyon Fuel Company, LLC, Skyline Mine, C/007/0005, Task ID #2890

A brief review of the new information submitted for the Skyline Mine IBC indicates that the Permittee has supplied enough information to complete a technical review.

The Division reported the following deficiencies on November 8, 2007. The underlined text describes what new information has been provided.

R645-301-222, The soils consultant must discern the soil series represented by SP-1 and designate the boundary for this soil type within the proposed disturbed area and mark it on Figure 1. The Division does not accept the information provided as accurate for the purpose of an Order 1 soil survey for the following reasons:

SP-1 The laboratory analysis for SP1 does not appear to correlate with the Pathead Series soil. First the pH is between 6.4 – 6.7, whereas the Pathead Series has a typical pH in the vicinity of 8.6 – 8.8. Second, there is no accumulation of calcium carbonate noted in the profile descriptions or in the laboratory analysis. A cambic horizon, accumulation of calcium carbonate, is typical of this series. Third, the percentage of clay is less than that in the Pathead Series.

SP-2 The color of this soil is described as yellowish brown and yellowish orange. The Trag Series is typically grayish brown. The parent material is described as sandstone, siltstone and shale, whereas the Trag Series is derived from granite and schist. [PWB]

The soils report was appended December 3, 2007 with an explanation of the methodology used to determine soil types in the project area. Figure 1 has been revised.

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R645-301-231.100, The plan indicates that “suitable” topsoil will be stripped. The plan must indicate a topsoil stripping depth, if the depth is variable, the plan must provide an isopach of the stripping depth. [PWB]

Page 4-39a has been modified to indicate that 18-20 inches of soil will be salvaged over the entire project area.

R645-301-320, The applicant needs to include in the application a current Threatened, Endangered and Sensitive plant species list for the proposed waste rock expansion area, Carbon County, and a short narrative describing why those species would not be found within the proposed waste rock expansion site. [JCH]

T&E species information specific to the Waste Rock Site has now been included in the application.

R645-301-322, The application needs to include a detailed description and analyses of the wildlife resources within the proposed waste rock expansion area sufficient enough to develop a protection and enhancement plan required by section R645-301-333 of the regulations. [JCH]

Wildlife resource information specifically for the Waste Rock Site has now been included in the application.

R645-301-322, The applicant needs to include in the application a current Threatened, Endangered and Sensitive animal species list for the proposed waste rock expansion area, Carbon County, and a short narrative describing why those species would not be found within the proposed waste rock expansion site. [JCH]

T&E species information specific to the Waste Rock Site has now been included in the application.

R645-301-411, The applicant needs to update the land-use resource information in volume 3, section 4.16, page 4-89, to include *Wildlife* as a land-use for the proposed waste rock expansion area. The observations of the August 7, 2007 site visit to the proposed waste rock expansion area with Gregg Galecki and the undersigned and conversations with Leroy Mead on September 28, 2007 indicated that the land use for the expansion area was primarily wildlife. The applicant should verify with the landowner that the area also includes grazing. [JCH]

The application now includes wildlife as a land-use for the project area.

R645-301-411, Table 2.12.2-1 lists the “General Area Classification” of the waste rock site as “Disturbed”. It should be revised to include the vegetative communities identified in the Mount Nebo Scientific report for the proposed waste rock expansion area. [JCH]

Table 2.12.2-1 now includes the disturbed and undisturbed acreages at the project site, including vegetative communities.

R645-301-411, The application needs to include surface ownership maps for the proposed waste rock expansion area. [JCH]

Already identified on Plate 1.6-1 of the approved MRP.

R645-301-411, Wildlife maps for the proposed waste rock expansion area have not been included in the application. [JCH]

This information is in the currently approved MRP.

R645-301-322, -301-333, -301-342, -301-358,

- The application needs to include a wildlife protection and enhancement plan for the proposed waste rock expansion site. A similar plan for James Canyon can be found Section 4.18, page 4-103A. [JCH]
- The applicant needs to include the information stated in the Wetlands and Habitats of Unusually High Value for Fish and Wildlife section of this analysis and Leroy Mead's findings about the status of Wetlands and habitats of unusually high value for fish and wildlife in the MRP. [JCH]
- The application needs to include a current list of Threatened, Endangered and Sensitive animal species list for the proposed waste rock expansion area, Carbon County, and a discussion describing why those species would not be found within the proposed waste rock expansion site. [JCH]
- The application needs to include information about the status of Bald and Golden Eagles. [JCH]
- The applicant should provide a commitment to monitor the status of the raptor nest near the waste rock site annually. Language could be added to the commitment in Volume 3, Section 4.18, page 4-103, paragraph three of the MRP, which talks about annual pre subsidence raptor surveys. This is a request and not a deficiency. [JCH]

Wildlife protection and enhancement has been described in the revised text. UP Canyon has been described as requested. As stated above T&E species information has now been provided. Bald and Golden Eagle status has been included. Information from the 2007 raptor survey has also been added.

R645-301-330, -301-331, The application needs to include a plan for protection of vegetation or a reference to the appropriate section of the MRP that describes how vegetation resources

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will be protected throughout the life of the mine for the proposed waste rock expansion area. See also the requirements of section 301-331. [JCH]

Additional information has been provided in the text.

R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275, The application needs to be updated to include a current landowner request for the final configuration of the property. [JCH]

Correspondence between Canyon Fuel Company, and the landowners has been included.

R645-301-553.252, The application must indicate that four feet of the available soil will cover the waste at final reclamation or must provide documentation through physical and chemical analyses that a lesser cover will provide stability (R645-301-244) and vegetation success (R645-301-353 through 357). [PWB]

A demonstration and discussion of the adequacy of the soil horizon to be used for reclamation has been provided.